

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

CHARLES CALVIN MOORE, )

Plaintiff )

vs. )

Case No. 2:08-cv-00859-LSC-HGD

FRANK BUTLER POTTS )  
and JAMES WELBANKS, )

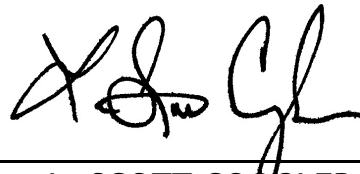
Defendants )

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on September 25, 2008, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

Done this 25<sup>th</sup> day of November 2008.



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L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE

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